

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

DAVID SMITH,

Plaintiff,

V.

SEALIFT, INC. & BIEHL & CO, LP,

Defendants.

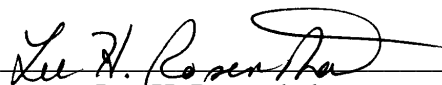
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CIVIL ACTION NO. H-10-0148

**ORDER**

Before removal, Biehl & Co. filed a motion for summary judgment on all the plaintiff's claims against it. (Docket Entry No. 1, Ex. E). At the initial conference held before this court today, counsel for Smith stated that he was not opposed to the motion. (Docket Entry No. 11 ). The motion is granted. All the claims against Biehl & Co. are dismissed, with prejudice.

SIGNED on May 28, 2010, at Houston, Texas.

  
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Lee H. Rosenthal  
United States District Judge